



1 FRANNY A. FORSMAN
Federal Public Defender
2 State Bar No. 00014
VITO de la CRUZ
3 Assistant Federal Public Defender
201 West Liberty Street, Suite 102
4 Reno, Nevada 89501-2027
Telephone: (775) 321-8451
5 Facsimile: (775) 784-5369
Vito_delacruz@fd.org

6 Counsel for RENE ALBERTO HERRERA-CASTANOLA

7
8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA
10

11 * * *

12 RENE ALBERTO HERRERA-
CASTANOLA,

13 Plaintiff,

14 vs.

15 ERIC HOLDER, Jr., Attorney General,
16 JANET NAPOLITANO, SECRETARY of
the DEPARTMENT OF HOMELAND
17 SECURITY,

18 Defendants.

3:11-CV-203-ECR-RAM

**ORDER TO ISSUE SUMMONS AND
FOR SERVICE**

19 A Motion and Application for Leave to Proceed in Forma Pauperis with attached Complaint
20 for Declaratory and Other Relief was filed on March 18, 2011. An Order Granting Application for
21 leave to Proceed in Forma Pauperis was entered on April 20, 2011, and Order Appointing the Office
22 of the Federal Public Defender to represent plaintiff was entered on April 20, 2011,

23 IT IS THEREFORE ORDERED THAT the Clerk of the Court shall detach said Complaint
24 for Declaratory and Other Relief and file Nunc Pro Tunc as of March 18, 2011 and issue summons
25 to Defendants herein and deliver same to the U.S. Marshal for service. The Clerk shall send
26 Plaintiff sufficient copies of the complaint and service of process forms (USM-285) for each
27 Defendant. Plaintiff shall have twenty (20) days in which to furnish the U.S. Marshal the required
28

1 forms USM-285. Within twenty (20) days after receiving from the U.S. Marshal a copy of the
2 USM-285 form showing whether service has been accomplished, Plaintiff must file a notice with
3 the court identifying which Defendants were served and which were not served, if any. If Plaintiff
4 wishes to have service again attempted on any unserved Defendant, then a motion must be filed with
5 the court identifying the unserved Defendants and specifying a more detailed name and/or address
6 for said Defendant, or whether some other manner of service should be attempted. Plaintiff is
7 reminded that pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, service must be
8 accomplished within one hundred twenty (120) days of the date of this order.

9 IT IS FURTHER ORDERED that henceforth, Plaintiff shall serve upon Defendants or, if
10 appearance has been entered by counsel, upon the attorneys a copy of every pleading, motion or
11 other document submitted for consideration by the court. Plaintiff shall include with the original
12 paper to be filed with the Clerk of the court a certificate stating the date that a true and correct copy
13 of the document was served on the Defendants or counsel for Defendants. The court may disregard
14 any paper received by a District Judge or a Magistrate Judge which has not been filed with the Clerk
15 of the court, and any paper received by a District Judge, Magistrate Judge or Clerk of the court
16 which fails to include a certificate of service.

17 DATED: 5-6-11

18 
19
20 UNITED STATES MAGISTRATE JUDGE
21
22
23
24
25
26
27
28